REMARKS

Reconsideration of the present application is respectfully requested. Claims 1,3, 15, 17, 21, 25 and 26 have been amended; and claims 27-38 have been added. Claims 1-38 are presently pending, with claims 1, 3, 15, 17, 21, 25 and 26 being independent.

In the Office Action dated May 22, 2000, claims 3, 4, 7, 9-12, 15 and 17-26 are objected to as being dependent upon a rejected base claim but indicated as allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Although claims 5, 6 and 8 are not similarly objected to in the Action, it is believed that this is simply an oversight because these claims depend from claim 4 (which is indicated as reciting allowable subject matter). Thus, only claims 3, 15, 17, 21, 25 and 26 have been rewritten in independent form as suggested in the Action. These new independent claims should therefore be in condition for allowance. Claims 4-12 depend directly or indirectly from claim 3, claims 18-20 depend directly or indirectly from claim 17, and claims 22-24 depend directly or indirectly from claim 21. Accordingly, dependent claims 4-12, 18-20 and 22-24 should also be in condition for allowance.

Applicant wishes to express its appreciation for the interview conducted on July 17, 2000, and thank the Examiner for his time and consideration given during that interview. It is noted that claim 1 and proposed amendments to that claim, as well as new claims 27-29, were discussed during the interview. Moreover, it was agreed that the proposed amendments would overcome the prior art rejections presented in the Action of February 22, 2000.

Applicant notes that the Examiner requested during the interview that the record indicate where support is found in the specification for the various amendments to claim 1. With

respect to the undersized configuration of the toe, foot and leg sections (so that they are resiliently stretched when the sock is worn), attention is directed to line 35 of page 9 through line 7 of page 10. The support for reciting the high-stretch yarn as comprising a corespun yarn can be found in lines 26-31 of page 8.

It is further noted that the Bernhardt '943 patent was discussed during the course of the interview as disclosing a seamless sock construction, however, it was agreed that the '943 patent fails to show or suggest the use of the invention recited in claim 1. Particularly, the '943 patent is deficient in showing or suggest the use of a common high stretch yarn from which the toe, foot and leg sections are knitted. It will be appreciated that this limitation was present in originally filed claim 1 and additional support for this limitation can be found in lines 16-27 of page 8.

Finally, claims 27-29 have been added herein as they were presented during the interview. Claims 30-38 have also been added herein to depend from newly amended claim 1, and these claims are essentially identical to claims 17-25 originally presented in the present application.

In view of the foregoing, Applicant submits that the present application should now be in condition for allowance and such allowance is respectfully requested. Should the Examiner have any questions, please contact the undersigned at (800) 445-3460.

A check in the amount of $264.00 accompanies this Amendment for the four (4) independent claims in excess of the three independent claim limitation and the twelve (12) claims added herein in excess of the twenty claim limitation. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 19-0522.

13

Respectfully submitted,

HOVEY, WILLIAMS, TIMMONS, & COLLINS

By: _____
Andrew G. Colombo, Reg. No. 40,565
2405 Grand Boulevard, Suite 400
Kansas City, Missouri 64108
(816) 474-9050

ATTORNEYS FOR APPLICANT

(Docket No.27600)

14